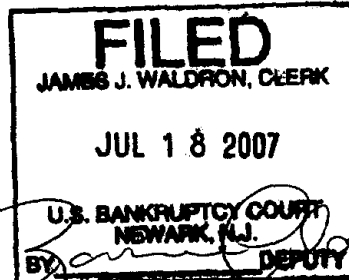


UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
M.L. KING, JR. FEDERAL BUILDING  
50 WALNUT ST., 3RD FLOOR  
NEWARK, NEW JERSEY 07102

DONALD H. STECKROTH  
BANKRUPTCY JUDGE



(973) 645-4693  
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**NOT FOR PUBLICATION**

July 18, 2007

**LETTER OPINION**  
**ORIGINAL FILED WITH THE CLERK OF THE COURT**

Carol Scott  
798 Ponce de Leon Road  
Boca Raton, Florida 33432  
***Defendant Pro Se***

Forman, Holt & Eliades, LLC  
Harry M. Gutfleish, Esq.  
Kimberly J. Wachs, Esq.  
218 Route Seventeen North  
Rochelle Park, New Jersey 07662  
***Counsel for Charles M. Forman, Chapter 7 Trustee***

Re: ***Charles M. Forman, as the Chapter 7 Trustee for NJ Affordable Homes Corp.  
v. Rita D'Agostino, et al.***  
**Adv. No.: 06-02657 (DHS)**

***Charles M. Forman, as the Chapter 7 Trustee for NJ Affordable Homes Corp.  
v. First Trust Corp. TTEE FBO Charles Schwartz, et al.***  
**Adv. No.: 06-02722 (DHS)**

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***Charles M. Forman, as the Chapter 7 Trustee for NJ Affordable Homes Corp.  
v. First Trust Corp. TTEE FBO Helmut K. Wuensche, et al.  
Adv. No.: 06-02731 (DHS)***

***Charles M. Forman, as the Chapter 7 Trustee for NJ Affordable Homes Corp.  
v. Olga Diamond, et al.  
Adv. No.: 06-02745 (DHS)***

***Charles M. Forman, as the Chapter 7 Trustee for NJ Affordable Homes Corp.  
v. Santos Perez, et al.  
Adv. No.: 06-02982 (DHS)***

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Dear Ms. Scott and Counsel:

Before the Court is a consolidated motion filed by Carol Scott on or about June 18, 2007 seeking to dismiss five adversary proceedings filed against her by Charles M. Forman, as Chapter 7 Trustee for New Jersey Affordable Homes Corp. ("Debtor"). Specifically, those adversary proceedings were designated as: 06-2657, 06-2722, 06-2731, 06-2745, and 06-2982. The Trustee opposes the relief sought.

Ms. Scott's motion to dismiss provides only a single page of what may be considered legal argument attempting to dismiss numerous counts in each complaint against her. In addition, Ms. Scott attempts to join other arguments made in four separate briefs to the Court regarding consolidated motions to dismiss previously heard on February 1, 2007.

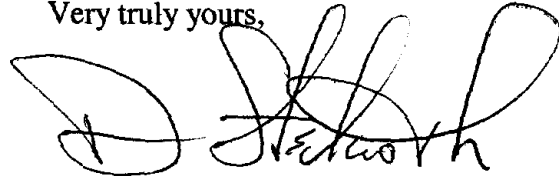
Ms. Scott overlooks an integral prerequisite, however, namely that her motion be timely filed. Notably, all five adversary complaints were filed by the Trustee on or prior to November 17, 2006. This Court's Case Management Order governing such adversary proceedings required that Ms. Scott's motion to dismiss be filed on or before January 2, 2007. As stated above, the instant motion was filed six months after that Bar Date.

Ms. Scott provides no reason and indeed does not even address why this Court should permit such a late filing. Therefore, her consolidated motion to dismiss is denied as untimely for failure to provide good cause to amend this Court's Case Management Order pursuant to Federal Rule of Civil Procedure 16(b) made applicable to adversary proceedings in this Court pursuant to Federal Rule of Bankruptcy Procedure 7016.

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An Order in conformance with this Opinion has been entered by the Court and a copy is attached hereto.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. Steckroth', written over a horizontal line.

DONALD H. STECKROTH  
UNITED STATES BANKRUPTCY JUDGE

Enclosure